IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

WP(C).No. 12535 of 2007(P)

AGAINST THE ORDER DATED 13/03/2007 IN EP.73/2004 IN ARC.5/2003 of SUB COURT,NEYYATTINKARA

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PETITIONERS:

1. VEERABABU, RESIDING AT VIKHNESWARA, THALAYAL DESOM, ATHIYANOOR VILLAGE, BALARAMAPURAM.

2. ARUNACHALAM, RESIDING AT -DO- -DO-

BY ADV. SRI.L.MOHANAN
SMT.LIGEY ANTONY
SRI.M.V.KIRAN MOHAN

RESPONDENT:

M.BALAKRISHNA PILLA,
KALIYIKKAVILA JAYA GOPAKUMAR
CHITTY, MANAGING DIRECTOR,
RESIDING AT JAYASREE SADANAM,
MADATHUVILAKOM, MECODU, PANNIYOOR DESOM,
VILAVANCODE VILLAGE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.P. Balachandran, J.

W.P.(C)No. 12535 of 2007 P

JUDGMENT

Heard counsel for the petitioners.

2. According to the petitioners, who are the judgment debtors in E.P.No.73/04 in A.R.C.No.5/03 on the file of the Sub Court, Neyyattinkara, the property that is sought to be brought to sale is worth about Rs.1.5 crores, whereas the respondent/ decree holder has valued the property at Rs.1.5 lakhs and the court below, vide Exhibit P1 order, has fixed the upset price at Rupees ten lakhs.

3. It is ordered that the value of the property shown by the petitioners/judgment debtors as Rs.1.5 crores has to be specifically shown as such and sale proclamation shall be published with the above modification, so that the intending purchasers will get an idea as to the actual price the property may fetch on sale.

With this direction, this writ petition is disposed of. Petitioners shall produce a copy of this judgment before the execution court immediately on re-opening of courts, so as to cause the decree holder to comply with the above direction.

13th April, 2007 (K.P.Balachandran, Judge)

tkv